

JAN 11 2005

Appl. No. 09/802,289
Amtd. dated December 29, 2004
Preliminary Amendment

PATENT**REMARKS/ARGUMENTS Amendments**

The claims are modified in the amendment. More specifically, claims 1, 10 and 11 have been amended; claim 17 has been cancelled; and new claim 21 has been added. Therefore, claims 1-16 and 18-21 are present for examination. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

Interview

On January 11, 2005, the Examiner granted an interview to discuss the outstanding Office Action and suggested amendments. Granting of interviews is always appreciated. No agreement was sought nor was any agreement reached in this interview as this was just a courtesy call to explain our arguments presented below.

Non-statutory Double Patenting

Claims 1, 7, 11, 13, 14, 17 and 18 stand as provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19 and 24-27 of copending Application No. 09/802,120 ("Cited Application"). The Advisory Action puts forth the proposition that a program counter is known, a proposition that the Applicants do not disagree with, but the Cited Application requires that the program counter be part of the register file. This is a non-obvious variation over the prior art that has the program counter outside the register file. Reconsideration is respectfully requested.

35 U.S.C. §102 Rejection, Drabenstott et al., Masubuchi and Ito et al.

The Office Action has rejected claims 1, 3, 5, 6, 8-11, 13, 15, 16, 19 and 20 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 6,366,999 to Drabenstott et al. (hereinafter "Drabenstott"). Next, the Office Action has rejected claims 2 and 12 under 35 U.S.C. §103(a) as being unpatentable over Drabenstott in view of the cited portions of U.S. Patent No. 5,530,817 to Masubuchi (hereinafter "Masubuchi"). Finally, the Office Action has rejected claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over

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Drabenstott in view of the cited portions of U.S. Patent No. 6,615,339 to Ito et al. (hereinafter "Ito"). All of these rejections hinge upon Drabenstott, which is the subject of our arguments.

The amendments to the claims that clarify that there are both private *and* global registers in the register file. Applicants believe the arguments presented in the response to the final Office Action make clear that Drabenstott cannot be relied upon to teach or suggest this limitation. Indeed, it is not clear from Drabenstott what is being sent on the BCAST BUS 126 of FIG. 1 and to say that this bus is used to reconcile global registers is simply not supported. Reconsideration is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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